IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23/12/2003

CORAM

THE HONOURABLE MR. JUSTICE K.GOVINDARAJAN
and
THE HONOURABLE MRS. JUSTICE PRABHA SRIDEVAN

C.M.A.No.1808 of 1996

A. Chandrasekaran .. Appellant

-Vs-

1.Logambal
2.Kamala
3.National Insurance Co. Ltd.
Branch Office, Prominate
Road, Contonment, Trichy-1. .. Respondents

Civil Miscellaneous Appeal against the judgment and decree dated 17 .10.1996 made in M.A.C.T.O.P.No.1222 of 1992 on the file of the Motor Accident Claims Tribunal, (I Additional District Judge), Trichirapalli.

!For Appellant : Mr.A.Saravanan

^For respondents: Mr.S.Ashok Kumar, for R.1
Mr. T.M.Venkatraman, for R.3
For R.3 - Not ready in notice.

:J U D G M E N T

(Judgment of the Court was made by K.GOVINDARAJAN,J)

The owner of the vehicle has filed the above appeal questioning the award passed by the Tribunal exonerating the Insurance Company from paying the compensation.

2. The owner of the vehicle, the appellant herein has come forward with the above appeal on the basis that merely because the driver was not having licence, the Tribunal is not correct in exonerating the Insurance Company. It is well settled that even in similar cases, the Courts have held that owner is liable to pay the money and so, the Tribunal is correct in fixing the liability on the owner, when it is admitted that the driver, who drove the vehicle was not having valid licence on the date of accident. Hence, we do not find any reason to interfere with the award of the Tribunal.

Accordingly, the appeal fails and the same is dismissed. No costs.

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To
1. The Motor Accident Claims Tribunal,
(I Addl. District Judge),
Tiruchirappalli. (with records).

2. The Record Keeper,
V.R.Records, High Court, Madras.